



5-6-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: John J. Talley et al.
Serial No: 10/757,606
Filed: January 12, 2004
For: Substituted Sulfonylphenylheterocycles As Cyclooxygenase-2 And 5-Lipoxygenase Inhibitors
Confirmation No: 4812
Group Art Unit: 1626
Examiner: Shiao, Rei Tsang
Attorney Ref: 2877/4/US
Pfizer Ref: 30979/USA
HDP Ref: 6794-000137/US/COD

May 5, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam/Sir:

To comply with 37 CFR §1.97 and §1.98, Applicants submit the enclosed Form PTO-1449.

In accordance with MPEP §609 and §707.05(b), Applicants respectfully request that each document listed be given thorough consideration, and that the Examiner cite each document of record in the prosecution history of the present application by initialing the Form PTO-1449 next to each document. Applicants request such initialing even if the Examiner does not consider: (1) a document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicants make this request so that each document becomes cited on the face of a patent issuing on the present application.

Applicants submit this information disclosure statement in compliance with the duty to disclose information material to patentability under 37 CFR §1.56, but by listing such documents are not admitting that such documents are necessarily relevant or prior art. Applicants intend no representation that the listed documents represent the results of a complete search. Applicants anticipate that the Examiner, in the normal course of examination, will make an independent

Information Disclosure Statement
Appl. No. 10/757,606
May 5, 2005

search consistent with 37 CFR §1.104, and, in the course of such search, will review for relevance every document listed on the attached form even if not initialed.

This application is a continuation of U.S. Application Serial No. 10/004,960 (filed December 4, 2001, now U.S. Patent No. 6,677,364), which, in turn, is a continuation of U.S. Application Serial No. 09/549,830 (filed April 14, 2000, now abandoned), which, in turn, is a continuation of 08/952,661 (filed April 20, 1998, now abandoned), which, in turn, is a national stage entry of International Application Serial No. PCT/US96/08183 (filed May 31, 1996), which, in turn, claims priority to U.S. Application Serial No. 08/460,324 (filed June 2, 1995, now U.S. Patent No. 5,643,933). Applicants presume that the Examiner has access to the file histories for the above-referenced applications. Applicants further presume that the Examiner is aware of the issues raised and the scope of claims in those cases, and will take them into account when examining this patent application. Upon request from the Examiner, Applicants can provide copies of the substantive Office actions or any other information relating to those cases, to the extent Applicants have such information in their possession.

The references cited in this information disclosure statement are U.S. patents or U.S. patent application publications, or were previously cited or submitted to the Office and considered in the above-referenced U.S. applications. Copies of those references are therefore not being provided in accordance with 37 C.F.R. §1.98 and MPEP §609 Part III(A)(2). Applicants, however, will provide copies of such references upon request from the Examiner. The references that are enclosed with this information disclosure statement are identified as being enclosed on the Form 1449.

Applicants request early and favorable consideration.

* * * * *

An Office action issued in this application on November 19, 2004. Accordingly, this information disclose statement is being filed pursuant to 37 C.F.R. §1.97(c). A \$180.00 check is enclosed to cover the fee under 37 C.F.R. §1.17(p). Applicants do not believe that they owe any other fee in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17

Information Disclosure Statement

Appl. No. 10/757,606

May 5, 2005

in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

The Examiner is requested to call the undersigned if any questions arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



A handwritten signature in black ink, appearing to be "D. Gryte", written over a horizontal line.

David M. Gryte, PTO Reg. No. 41,809
Harness, Dickey & Pierce
7700 Bonhomme, Suite 400
St. Louis, Missouri 63105
(314) 726-7500 (tel)
(314) 726-7501 (fax)

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service on **May 5, 2005** with sufficient postage as first class mail (including Express Mail per MPEP § 512), and addressed to **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.

A handwritten signature in black ink, appearing to be "D. Gryte", written over a horizontal line.

DMG/jpg/cml
enclosures



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/757,606
	Filing Date	January 12, 2004
	First Named Inventor	John Talley
	Art Unit	1626
	Examiner Name	Rei Tsang Shiao
Total Number of Pages in This Submission	Attorney Docket Number	2877/4/US; 30979/USA (6794-000137/US/COD)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Form HDP-1449 Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	David M. Gryte, PTO Reg. No. 41,809 Harness, Dickey & Pierce, P.L.C.		
Signature			
Date	May 5, 2005		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David M. Gryte, PTO Reg. No. 41,809	Express Mail Label No.	EV 327050281 US
Signature		Date	May 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 327050281 US

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number 10/757,606
Filing Date January 12, 2004
First Named Inventor John J. Talley
Examiner Name Rei Tsang Shiao
Art Unit 1626
Attorney Docket No. 2877/4/US 30979/USA (6794-000137/US/COD)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fees under 37 CFR 1.16 and 1.17
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
0	0	0	0
0	0	0	0
0	0	0	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1500	2453	750	Petition to revive - unintentional	
1501	1400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$180)

4. SEARCH/EXAMINATION FEES

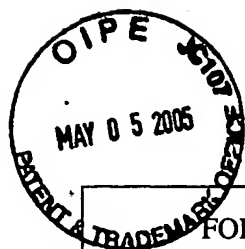
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1111	500	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	160	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	
SUBTOTAL (4)					(\$0)

SUBMITTED BY

Name (Print/Type) David M. Gryle Registration No. (Attorney/Agent) 41,809 Telephone 314-726-7508
Signature Date May 5, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

EV 327 050281 US



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 4

ATTORNEY DOCKET NO.	SERIAL NO.
2877/4/US; 30979/USA (6794-000137/US/COD)	10/757,606
APPLICANT	
John J. Talley et al.	
FILING DATE	GROUP
January 12, 2004	1626

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,644,499	02/1972	Murphy	562/115	
2.		3,647,858	03/1972	Hinkley	560/11	
3.		3,707,475	12/1972	Lombardino	548/343.1	
4.		3,743,656	07/1973	Brown	549/79	
5.		3,901,908	08/1975	Fitzi	548/343.5	
6.		3,984,431	10/05/1976	Gueremy et al.	548/376.1	
7.		4,011,328	03/08/1977	Pinhas et al.	514/277	
8.		4,051,250	09/27/1977	Dahm et al.	514/376	
9.		4,146,721	03/27/1979	Rainer	548/365.7	
10.		4,302,461	11/24/1981	Cherkofsky	514/445	
11.		4,372,954	02/08/1983	Moreau et al.	514/238.5	
12.		4,381,311	04/26/1983	Haber	514/336	
13.		4,427,693	01/24/1984	Haber	514/438	
14.		4,472,422	09/18/1984	Whitney	514/400	
15.		4,503,065	03/05/1985	Wilkerson	514/396	
16.		4,533,666	08/06/1985	Matsumoto et al.	514/277	
17.		4,576,958	03/18/1986	Wexler	514/400	
18.		4,590,205	05/20/1986	Haber	514/438	
19.		4,632,930	12/30/1986	Carini et al.	514/365	
20.		4,686,231	08/11/1987	Bender et al.	514/333	
21.		4,820,827	04/11/1989	Haber	549/78	

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EV 327 050281 US

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 2 of 4

ATTORNEY DOCKET NO.

2877/4/US; 30979/USA (6794-000137/US/COD)

SERIAL NO.

10/757,606

APPLICANT

John J. Talley et al.

FILING DATE

January 12, 2004

GROUP

1626

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,822,805	04/18/1989	Takasugi et al.	514/341	
23.		4,914,121	04/03/1990	Sawai et al.	514/406	
24.		5,051,518	09/24/1991	Murray et al.	548/375.1	
25.		5,098,932	03/24/1992	Hamon	514/462	
26.		5,134,142	07/28/1992	Matsuo et al.	514/253.09	
27.		5,169,857	12/08/1992	Angerbauer et al.	514/344	
28.		5,234,939	08/10/1993	Hamon	514/400	
29.		5,234,950	08/10/1993	Edwards et al.	514/475	
30.		5,240,941	08/31/1993	Bruneau	514/312	
31.		5,242,940	09/07/1993	Wachter et al.	514/406	
32.		5,298,521	03/29/1994	Ferro	514/406	
33.		5,302,603	04/12/1994	Crawley et al.	514/336	
34.		5,308,852	05/03/1994	Girard et al.	514/336	
35.		5,344,991	09/06/1994	Reitz et al.	568/34	
36.		5,354,865	10/11/1994	Dellaria et al.	546/158	
37.		5,356,989	10/18/1994	Tachika et al.	524/608	
38.		5,364,877	11/15/1994	Bruneau et al.	514/414	
39.		5,364,977	11/15/1994	Asai et al.	568/720	
40.		5,373,007	12/13/1994	Bruneau et al.	514/224.2	

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p align="center">FORM HDP-1449 (Based on Form PTO-1449)</p> <p align="center">PATENT AND TRADEMARK OFFICE</p> <p align="center">INFORMATION DISCLOSURE CITATION</p> <p align="center">(Use several sheets if necessary)</p> <p align="center">Sheet 3 of 4</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	2877/4/US; 30979/USA (6794-000137/US/COD)	10/757,606
	APPLICANT	
	John J. Talley et al.	
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January 12, 2004	1626	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
41.		5,380,738	01/10/1995	Norman et al.	514/304	
42.		5,393,790	02/28/1995	Reitz et al.	514/709	
43.		5,401,765	03/28/1995	Lee	548/406	
44.		5,424,320	06/13/1995	Fortin et al.	514/337	
45.		5,643,933	07/01/1997	Talley et al.	514/327	

FOREIGN PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No
46.		EP 026 928	04/15/1981	Europe	C07D 261/08	
47.		EP 372 445	06/13/1990	Europe	C07D 233/64	
48.		EP 485 111	05/13/1992	Europe	A61K 31/35	
49.		EP 592 664	04/20/1994	Europe	C07D 277/44	
50.		WO 92/05162	04/02/1992	PCT	C07D 261/08	
51.		WO 92/19604	11/12/1992	PCT	C07D 261/08	
52.		WO 93/14082	07/22/1993	PCT	C07D 401/04	
53.		WO 94/15932	07/21/1994	PCT	C07D 333/18	

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p align="center">FORM HDP-1449 (Based on Form PTO-1449)</p> <p align="center">PATENT AND TRADEMARK OFFICE</p> <p align="center">INFORMATION DISCLOSURE CITATION</p> <p align="center">(Use several sheets if necessary)</p> <p align="center">Sheet 4 of 4</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	2877/4/US; 30979/USA (6794-000137/US/COD)	10/757,606
	APPLICANT	
	John J. Talley et al.	
	FILING DATE	GROUP
	January 12, 2004	1626

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
54.		WO 94/13635	06/23/1994	PCT	C07C 323/49		
55.		WO 94/15932	07/21/1994	PCT	C07D 333/18		
56.		WO 94/20480	09/15/1994	PCT	C07D 277/36		
57.		WO 94/26731	11/24/1994	PCT	C07D 333/18		
58.		WO 94/27980	12/08/1994	PCT	C07D 263/32		
59.		WO 95/00501	01/05/1995	PCT	C07D 277/02		
60.		WO 95/30669	11/16/1995	PCT	C07D 309/10		

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
61.		Crawley et al., "Methoxytetrahydropyrans. A new series of selective and orally potent 5-lipoxygenase inhibitors," J. Med. Chem., 35(14):2600-2609 (1992)
62.		Grimmett, "Advances in Imidazole Chemistry," Advances in Heterocyclic Chemistry, 12:140 (1970)
63.		International Search Report, Written Opinion, and Preliminary Examination Report for International Application No. PCT/US96/08183 (filed 5/31/96)
64.		Miyaura et al., "The Palladium-Catalyzed Cross-Coupling Reaction of Phenylboronic Acid with Haloarenes in the Presence of Bases," Synth. Commun., 11:513 (1981)

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.